

Egyptian Regional Human Rights Authority
Meeting Minutes
March 26, 2013

The regular meeting of the Human Rights Authority (HRA) was held at Shawnee Community College Extension, 5385 Industrial park Dr., Metropolis, IL Chair Pam O'Connor called the meeting to order at 5:14 p.m. and read the confidentiality statement. A quorum was present.

Members Present: Jim Livesay, Kathy Rambeau, Sharon Mumford, Sue Barfield, Judy Atherton, Pam O'Connor, Al Farmer and Clarence Russell

Members Absent: Mary McMahan

Staff Present: Kim Conway

Guests: Clyde Ramage

Minutes: A motion was made and seconded to approve the January 22, 2013 meeting minutes and it carried.

Communications: The board reviewed and discussed Senate Bill 0093 regarding a distinct and separate population being formed at Chester Mental Health for Sexually Violent Persons. Part of this bill includes language that this population would not be protected under the Mental Health and Developmental Disabilities Code. This bill passed in the Senate on 3/21/13 and has been referred to the House. The board reviewed and discussed House Bill 0100 regarding transportation devices being used when transporting individuals from Chester Mental Health. These devices would not be considered restraint devices. This bill passed the House on 3/21/13 and has been referred to the Senate. The board reviewed and discussed House Bill 2452 which provides that a health care facility providing treatment or care to a patient shall require each employee and/or volunteer to wear an identification badge. This bill passed the House on 3/22/13 and has been referred to the Senate. The IGAC annual training was also discussed.

Ratifications: The following cases were approved for case acceptance through emergency case opening procedures with the approval of Chair, Pam O'Connor and the HRA Members listed below.

13-110-9021- State Mental Health Facility - the complaint alleges that a recipient had an elbow injury that wasn't being treated properly. Also alleges that the recipient's reason for 1:1 was documented incorrectly and resulted in a greater restriction of personal items that was unwarranted. Emergency case opening was approved by Judy Atherton, Clarence Russell and Kathy Rambeau on January 25, 2013.

13-110-9024 - Community Hospital - the complaint alleges that the hospital failed to communicate with the patient's guardian and care provider and inappropriately administered medication without consent and inappropriate restraints were used. Emergency case opening was approved by Kathy Rambeau, Sharon Mumford and Sue Barfield on February 6, 2013.

13-110-9025 - State Mental Health Facility - the complaint alleges that sexual abuse occurred and was reported to the OIG but no investigation was ever done. Emergency case opening was approved by Clarence Russell, Kathy Rambeau and Jim Livesay on March 4, 2013.

Sue Barfield made a motion to ratify the emergency case openings of Cases #13-110-9021; 13-110-9024 and 13-110-9025. The motion was seconded by Judy Atherton and carried.

New Complaints:

13-110-9022 Community mental health provider - HRA received a grievance form that alleges negative interactions with a staff person. Release, complaint form and HRA information was sent on January 3, 2013 and again on January 25, 2013. The signed release was never received back. Clarence Russell made a motion to close due to lack of signed release and Sharon Mumford seconded and it carried.

13-110-9023 Community Hospital - the complaint alleges inappropriate treatment (not considering current and past treatment protocol), right to participate in treatment planning (not allowing his input in treatment planning) and right to refuse. Release and complaint form was sent along with HRA information on December 14th and again on January 25, 2013. The signed release was never received back. Judy Atherton made a motion to close due to lack of signed release and Jim Livesay seconded and it carried.

13-110-9026 State Operated Mental Health Facility - the complaint alleges that a recipient was given 2 forced injections without an adequate reason, staff on the midnight shift refuse to get hygiene items out for recipients to shower and recipients aren't allowed to use the bathroom when needed. HRA made an informal inquiry with staff at the facility and was told the recipient was given 2 injections 15 minutes apart, one for aggression and another for agitation. A release of information was sent on March 14, 2013. Jim Livesay made a motion to table case opening to allow the release to be received, Sue Barfield seconded and it carried.

13-110-9027 Community 16 Bed ICFDD Facility & State Operated Facility- HRA received a call of concern regarding an individual with developmental disabilities who has been in the Wayne County Jail since November 2012 awaiting an available bed at a state operated facility's forensic unit. The individual with a disability who had resided at a 16 Bed ICFDD Facility was arrested and jailed after he struck a peer. HRA was told that the peer he struck is related to a local police officer. The county state's attorney worked to have him remanded to DHS but his admission had been delayed due to the lack of bed availability. HRA spoke to the county sheriff who reported that the individual's condition had deteriorated daily. He needed assistance with personal care and didn't understand his reason for being in jail. They had to put him into a medical isolation cell for safety precautions and they had to put him in handcuffs to protect him from biting himself. He became increasingly agitated and the jail said they were doing the best that they could but cannot adequately meet his needs. A local PAS agent is also involved. Releases received 3/19/13 from the Guardian. Sharon Mumford made a motion to accept the case for investigation, Sue Barfield seconded and it carried.

13-110-9028 State Operated Mental Health Facility - the complaint alleges that a recipient was given a PRN medication but wasn't told what kind of medication it was. He felt faint, dizzy, his heart raced and he passed out. The recipient is allergic to Thorazine and the concern was that is the medication he was given. The complainant also said the recipient was put in seclusion for refusing to take medication and that staff took away the recipient's food tray for asking why he couldn't go to the cafeteria when he was in seclusion. The release of information has been received. Judy Atherton made a motion to accept the case for investigation, Clarence Russell seconded and it carried.

Other New Business: Guest, Clyde Ramage was in attendance to observe a meeting and shared his desire to become a board member. He brought several letters of reference which the board members reviewed. Kim Conway explained the process of becoming a board member and that he would be notified if he was recommended or not once the members have voted in May.

Unfinished Business: A motion was made to enter closed session at 6:00 p.m. to discuss confidential information regarding case progress, draft reports and case closures. The motion was seconded and carried. The HRA returned to open session at 7:12 p.m. having taken no action in closed session. The following summary of items was discussed in closed session: Case progress was reviewed for Cases #12-110-9038, 13-110-9004, 13-110-9005, 13-110-9007, 13-110-9008, 13-110-9009, 13-110-9010, 13-110-9012, 13-110-9013, 13-110-9014, 13-110-9015, 13-110-9016, 13-110-9017, 13-110-9018, 13-110-9019, 13-110-9020, 13-110-9021, 13-110-9024, 13-110-9025. Draft reports were reviewed for Cases #12-110-9017, 12-110-9034, 12-110-9035, 13-110-9037 and 13-110-9011. Case closures were considered for Cases # 12-110-9009, 12-110-9025, 12-110-9032, 13-110-9001 and 13-110-9006.

Case Progress Reports:

12-110-9038 - Chester Mental Health Center - The board discussed the length of time the recipient was in restraints. Kim Conway may request a copy of a video tape that the recipient says is available. Case is still under investigation, should be ready for report soon.

13-110-9004 - Choate Mental Health & Developmental Center - Teresa Parks is awaiting records from Shapiro. They have been requested but not received. HRA may have to subpoena.

13-110-9005 - Chester Mental Health Center - Teresa Parks is awaiting records from Shapiro. They have been requested but not received. HRA may have to subpoena.

13-110-9007 - Chester Mental Health Center - The recipient has been transferred to Alton Mental Health. Additional records have been requested from Alton regarding the transfer. HRA is waiting on those records from Alton to finalize the investigation.

13-110-9008- Chester Mental Health Center - Additional records that were requested on 3/1/13 are being reviewed. The case is still under investigation.

13-110-9009 - Chester Mental Health Center - Recipient was transferred to Madden. Records were recently received for review. The case is still under investigation.

13-110-9010 - Choate Mental Health Center - HRA recently received Choate policies to review. The case is still under investigation.

13-110-9012 - Chester Mental Health Center - Records have been received. The case will be ready for a report soon.

13-110-9013 - Chester Mental Health Center- Additional records were requested on 3/1/13. The case is still under investigation.

13-110-9014 - Chester Mental Health Center - Additional records were requested on 3/1/13. The case is still under investigation.

13-110-9015 - Chester Mental Health Center- The recipient was discharged on 2/1/13. The records have been requested from storage at Chester. The case is still under investigation.

13-110-9016 - Chester Mental Health Center - The recipient was discharged on 1/14/13. The records have been requested from storage at Chester. The case is still under investigation.

13-110-9017 - Chester Mental Health Center - Additional records were requested 3/1/13. The case is still under investigation.

13-110-9018 - Chester Mental Health Center - The case is ready for report

13-110-9019 - Chester Mental Health Center - HRA needs to complete a chart review. The case is still under investigation.

13-110-9020 - Chester Mental Health Center - HRA needs to complete a chart review. The case is still under investigation.

13-110-9021 - Chester Mental Health Center - New emergency case opening. The case is under investigation.

13-110-9024 - Herrin Hospital - New emergency case opening. The case is under investigation.

13-110-9025 - Chester Mental Health Center - New emergency case opening. The case is under investigation.

Reports of Findings:

12-110-9017 - Chester Mental Health Center - Report reviewed. Sharon Mumford made a motion to approve the draft with two typographical corrections being made. Judy Atherton seconded and it carried.

12-110-9034 - Chester Mental Health Center - Report reviewed. Sharon Mumford made a motion to approve the draft as stated. Judy Atherton seconded and it carried.

12-110-9035 - Choate Mental Health & Developmental Center - All pages of the report were not included in member packets. Sue Barfield made a motion to table approval of the draft until all pages could be reviewed. Sharon Mumford seconded and it carried.

12-110-9037 - Chester Mental Health Center - Report reviewed. Sharon Mumford made a motion to approve the draft as stated. Judy Atherton seconded and it carried.

13-110-9011 - Pinckneyville Healthcare Center - Report reviewed. Sharon Mumford made a motion to approve the draft as stated. Judy Atherton seconded and it carried.

Case Closures

12-110-9009 Choate Mental Health & Developmental Center - All pages of the provider's response to HRA recommendations were not included in the member packets. Clarence Russell made a motion to table closure until all pages could be reviewed. Jim Livesay seconded and it carried.

12-110-9025 Chester Mental Health Center - A response to the HRA recommendations has not yet been received. Clarence Russell made a motion to table case closure with a reminder letter being sent to the provider. Jim Livesay seconded and it carried.

12-110-9032 -Helia Healthcare - No response to the HRA report was received from the provider, none was required. Clarence Russell made a motion to close the case. Jim Livesay seconded and it carried.

13-110-9001 - START - The board accepted the provider's response to HRA recommendations. Clarence Russell made a motion to close the case. Jim Livesay seconded and it carried.

13-110-9006- Chester Mental Health Center - A response to the HRA recommendations has not yet been received. Clarence Russell made a motion to table case closure with a reminder letter being sent to the provider. Jim Livesay seconded and it carried

The next meeting is scheduled for 5:00 p.m. on May 21, 2013 at Shawnee Community College main campus in Ullin.

Sue Barfield made a motion to adjourn at 7:23 p.m. Clarence Russell seconded and it carried.

Respectfully Submitted,
Kathy Rambeau, Secretary